

Attorney Docket No.: **DEX-0522**
Inventors: **Salceda et al.**
Serial No.: **10/517,696**
Filing Date: **November 4, 2005**
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This listing of the claims will replace all prior versions and listings of claims in the application:

Listing of the claims:

Claim 1 (currently amended): An isolated nucleic acid molecule comprising

(a) ~~a nucleic acid molecule comprising a nucleic acid sequence that encodes an amino acid sequence of SEQ ID NO: 95-156;~~

(b)—a nucleic acid molecule comprising a nucleic acid sequence of ~~SEQ ID NO: 1-94~~ SEQ ID NO:36;

(c) a nucleic acid molecule that selectively hybridizes under stringent conditions to the nucleic acid molecule of (a) or (b); or

(d) a nucleic acid molecule having at least 95% sequence identity to the nucleic acid molecule of (a) or (b).

Claim 2 (original): The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is a cDNA.

Claim 3 (original): The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is genomic DNA.

Claim 4 (original): The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is an RNA.

Claim 5 (original): The nucleic acid molecule according to claim 1, wherein the nucleic acid molecule is a mammalian nucleic acid molecule.

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Claim 6 (original): The nucleic acid molecule according to claim 5, wherein the nucleic acid molecule is a human nucleic acid molecule.

Claim 7 (currently amended): A method for determining the presence of a breast specific nucleic acid (BSNA) in a sample, comprising the steps of:

(a) contacting the sample with the nucleic acid molecule according to claim 1 under conditions in which the nucleic acid molecule will selectively hybridize under stringent conditions to a breast specific nucleic acid; and

(b) detecting hybridization of the nucleic acid molecule to a BSNA in the sample, wherein the detection of the hybridization indicates the presence of a BSNA in the sample.

Claim 8 (original): A vector comprising the nucleic acid molecule of claim 1.

Claim 9 (original): A host cell comprising the vector according to claim 7.

Claim 10 (original): A method for producing a polypeptide encoded by the nucleic acid molecule according to claim 1, comprising the steps of:

(a) providing a host cell comprising the nucleic acid molecule operably linked to one or more expression control sequences, and

(b) incubating the host cell under conditions in which the

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polypeptide is produced.

Claim 11-14 (canceled)

Claim 15 (currently amended): A method for diagnosing and monitoring the presence and metastases of cancer in a patient, comprising the steps of:

(a) determining an amount of an isolated nucleic acid molecule of claim 1, ~~a polypeptide comprising an amino acid sequence with at least 95% identity to SEQ ID NO:95-156~~; or a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95% sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of ~~SEQ ID NO:1-94~~ SEQ ID NO:36; and

(b) comparing the amount of the determined nucleic acid molecule or the polypeptide in the sample of the patient to the amount of the cancer specific marker in a normal control; wherein a difference in the amount of the nucleic acid molecule or the polypeptide in the sample compared to the amount of the nucleic acid molecule or the polypeptide in the normal control is associated with the presence of cancer.

Claim 16 (currently amended): A kit for detecting a risk of cancer or presence of cancer in a patient, said kit comprising a means for determining the presence of:

an isolated nucleic acid molecule of claim 1; ~~a polypeptide comprising an amino acid sequence with at least 95% identity to SEQ ID NO:95-156~~; or a polypeptide comprising an amino acid sequence encoded by a nucleic acid molecule having at least 95%

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sequence identity to a nucleic acid molecule comprising a nucleic acid sequence of ~~SEQ ID NO:1-94~~ SEQ ID NO:36.

Claim 17-18 (canceled)